

AMENDED IN ASSEMBLY MAY 6, 2010
AMENDED IN ASSEMBLY APRIL 22, 2010
AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2656

Introduced by Assembly Member De Leon

February 19, 2010

An act to add Section 66014.7 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2656, as amended, De Leon. Postsecondary education: contracts for academic research.

Existing law, the Donahoe Higher Education Act, sets forth the missions of the public and private segments of higher education in this state. Existing law, the State Contract Act, contains provisions that generally regulate the process through which state agencies enter into contracts for goods and services.

This bill would require that any research conducted by an administrator, faculty member, or staff member of a public or private postsecondary educational institution ~~in this state~~ be subject to internal institutional policies ~~to ensure that the research meets~~ regarding minimum academic standards and protocols, as defined by the ~~university employer or its faculty senate~~ *public or private postsecondary educational institution*. The bill would prohibit a state agency from entering into a contract for academic research without first verifying that the contracting institution, and the administrator, faculty member, or staff member conducting the research, ~~complies with the internal~~

~~institutional policies are subject to those internal institutional policies.~~
The bill would also require a state agency to require the ~~researcher~~
~~administrator, facility member, or staff member~~ to certify that the
research complies with ~~the those minimum~~ academic standards and
protocols ~~adopted by the university or its faculty senate.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66014.7 is added to the Education Code,
2 to read:

3 66014.7. (a) Notwithstanding any other law, any research
4 conducted pursuant to a contract with the State of California by
5 any administrator, faculty member, or staff member of a public or
6 private postsecondary educational institution ~~in this state~~ shall be
7 subject to internal institutional policies ~~to ensure that the research~~
8 ~~meets regarding~~ minimum academic standards and protocols, as
9 defined by the ~~university employer or its faculty senate~~ *public or*
10 *private postsecondary educational institution.*

11 (b) A state agency shall not enter into a contract with a public
12 or private postsecondary educational institution for academic
13 research without first verifying that the contracting institution, and
14 the administrator, faculty member, or staff member conducting
15 the research, ~~have complied with internal policies of the institution~~
16 ~~and require the researcher to certify that the research complies~~
17 ~~with the academic standards and protocols adopted by the~~
18 ~~university or its faculty senate.~~ *are subject to the internal policies*
19 *of the institution regarding minimum academic standards and*
20 *protocols.*

21 (c) *A state agency shall require any administrator, faculty*
22 *member, or staff member of a public or private postsecondary*
23 *educational institution to certify that the research conducted*
24 *pursuant to a contract with a state agency complies with the*
25 *minimum academic standards and protocols in accordance with*
26 *subdivision (a).*